



Office of the United States Attorney
District of Arizona
José de Jesus Rivera

PRESS RELEASE

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For Information Contact Public Affairs
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FORMER GENERAL MANAGER OF TOHONO O'ODHAM FARMING AUTHORITY INDICTED FOR EMBEZZLEMENT AND THEFT

TUCSON, ARIZONA -- José de Jesus Rivera, United States Attorney for the District of Arizona, and Guadalupe Gonzalez, Special Agent in Charge, Phoenix Division of the FBI, announce that **WAYNE C. EVANS**, 59, of Tucson, AZ, was arrested today by Special Agents of the FBI. **EVANS** was indicted on 18 counts, including Embezzlement, Theft, and Wire Fraud, by a federal grand jury on September 22, 1999.

In December 1994, **EVANS** was hired as an interim manager for the Tohono O'odham Indian Nation Farming Authority. In August 1995, **EVANS** was hired as the full-time general manager. While serving as general manager, **EVANS** had oversight responsibility for the approval and disbursement of Farming Authority funds. This included funds provided to the Farming Authority, under the contract between Tohono O'odham Indian Nation and FEMA, for the rehabilitation of San Lucy Farm.

EVANS' employment agreement specifically prohibited him from transacting business on behalf of the Farming Authority with any business entity in which he held a direct or indirect interest. Under the agreement, any attempt to conceal such an arrangement was considered fraud and grounds for termination. In March 1995, **EVANS** operated and controlled the affairs of Huntington Construction Inc. On July 25, 1995, **EVANS** secretly assumed ownership of the stock of Huntington Construction. From March 1995

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through September 1996, the Farming Authority paid \$1.597 million dollars to Huntington Construction. As general manager, **EVANS** was responsible for authorizing payment to Huntington Construction. It is alleged that **EVANS** failed to disclose, and purposefully concealed, his relationship with Huntington Construction from the Farming Authority.

In 1990, **EVANS** was convicted of Fraud against the United States Government and sentenced to two years probation.

The maximum penalty for Title 18 USC 1163 (Embezzlement and Theft from Indian Tribal Organization) is 5 years imprisonment, per count; for 18 USC 666 (a)(1)(A) (Theft or Bribery Concerning Programs Receiving Federal Funds) is 10 years imprisonment, per count; for 18 USC 1343 (Wire Fraud) is 30 years imprisonment, per count.

The investigation that led to the indictment was conducted by Special Agents from the Federal Bureau of Investigation and with assistance from various representatives of the Tohono O'odham Indian Nation.

The prosecution is being handled by the United States Attorney's Office, District of Arizona, Tucson, Arizona.

CASE NUMBER: CR-99-1267-TUC
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